



## Lower Duwamish Waterway Site Seattle, Washington



December 2000

### EPA Proposes Lower Duwamish Waterway to National Priorities List Public Comments Due by January 30, 2001

The U.S. Environmental Protection Agency (EPA) is requesting comments on its proposal to add the Lower Duwamish Waterway Site to the National Priorities List (NPL), also known as the "Superfund" list. The NPL is EPA's list of the nation's most contaminated hazardous waste sites that are targeted for investigation and cleanup.

#### Why List the Lower Duwamish Waterway?

EPA believes that listing the site on the NPL is now the best approach for investigating and cleaning up the contamination at the site. In October, Washington Governor Gary Locke concurred with EPA's decision on the proposal. The Governor emphasized the importance of continued coordination between the Washington State Department of Ecology (Ecology) and EPA and urged implementation of work on the waterway without delay.

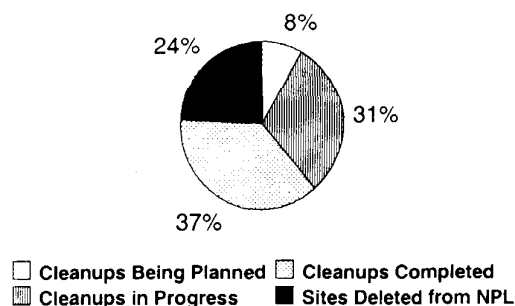
The contaminant levels at the Lower Duwamish Waterway Site meet all criteria for EPA to propose the site to the NPL. A recent EPA study confirmed that contaminated sediments are present in a five-mile stretch of the Lower Duwamish Waterway, from the southern tip of Harbor Island to just south of the turning basin near the Norfolk combined sewer overflow (see map on page 2). The contaminants, which include polychlorinated biphenyls (PCBs), poly-aromatic hydrocarbons (PAHs), mercury and other metals, and phthalates, may pose risks to people, and to fish and other wildlife.

Tribal, federal, and state natural resource trustees are very concerned about the impact the contamination may have on Chinook and Coho salmon, other fish, and wildlife in the Lower Duwamish Waterway. These trustees, as well as EPA and Ecology, are concerned about the contaminated fisheries for several reasons. People use the waterway for subsistence, recreational, and commercial fishing. Chinook salmon has been designated as a threatened species under the

#### What happens to sites added to the NPL?

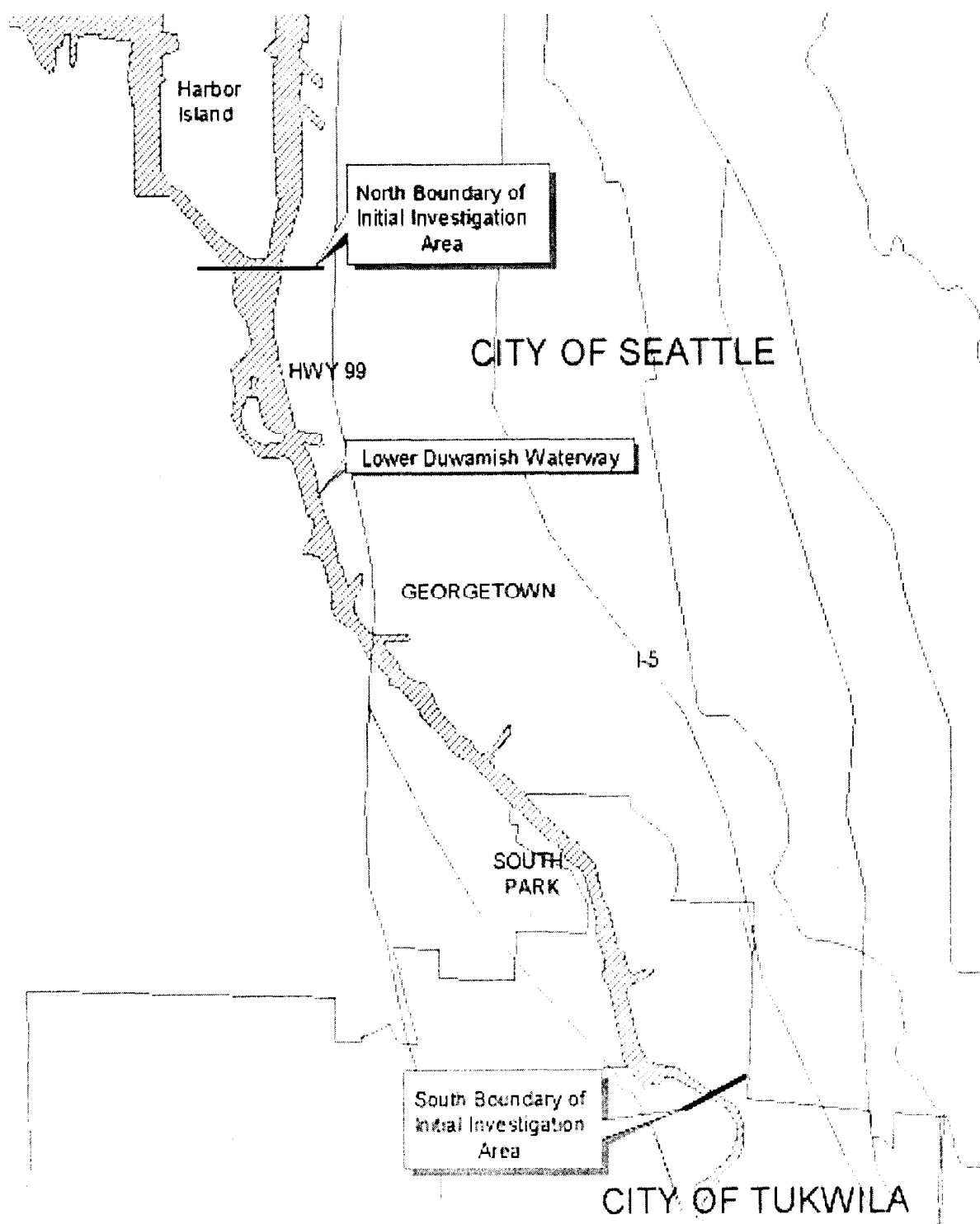
Cleanup is in progress or completed at most of Washington's 62 NPL sites.

Cleanup Progress at Washington's  
62 NPL Sites



#### Who are the natural resource trustees?

Natural resource trustees are designated by law to act on behalf of the public or Indian tribes to protect and restore natural resources, such as land, air, water, fish, and wildlife. For the Lower Duwamish Waterway Site, the designated trustees include the Muckleshoot and Suquamish Tribes, the National Oceanic and Atmospheric Administration, the U.S. Fish and Wildlife Service, and the State of Washington.



Lower Duwamish Waterway Site

federal Endangered Species Act, and Coho salmon in the waterway is being considered for listing under the act.

EPA and Ecology worked together on an approach to investigate and clean up the Lower Duwamish Waterway without listing the site on the NPL. The approach included an agreement, called an administrative order on consent, with four of the major property owners on the waterway. The four parties are the Port of Seattle, King County, the City of Seattle, and The Boeing Company, and for this site, they are called the Lower Duwamish Waterway Group.

In order to proceed with the investigation and cleanup without listing the site on the NPL, EPA required these parties to meet several additional criteria, including signing agreements with the natural resource trustees to protect the trustees' rights to pursue claims for damaged natural resources at the Lower Duwamish Waterway Site. When the trustees and Boeing were unable to reach agreement on this critical requirement, EPA proceeded with proposing the site to the NPL.

### **How Will the Proposed Listing Affect the Cleanup of the Lower Duwamish Waterway Site?**

The proposal of the Lower Duwamish Waterway Site to the NPL will support the proposed approach to the investigation and cleanup of the site:

- The investigation of the contamination at the site will still take place under the administrative order on consent. Ecology and EPA are presently considering comments received during an extended public comment period on the administrative order. The written response to these comments, called a responsiveness summary, will be

available to the public. Ecology and EPA anticipate completing the responsiveness summary, negotiating any appropriate changes to the order, and signing the order before the end of the year. The Lower Duwamish Waterway Group has already signed the order.

- The investigation and government oversight will still be financed by the Lower Duwamish Waterway Group and will begin as soon as the order is signed by Ecology and EPA.
- The requirements of state and federal laws and regulations for the site will still apply.
- Ecology and EPA will still be partners in managing the site.

A final listing on the NPL will change other aspects of the project:

- The rights of the natural resource trustees for the site will be preserved.
- The site will qualify for cleanup funds from the federal trust fund for NPL sites.
- EPA funds will be available for technical assistance to the community.

EPA and Ecology strive to provide you with useful environmental information. Please call, write, or e-mail us to let us know how we can improve our fact sheets to suit your needs.

### How to Comment on the NPL Proposal

The Lower Duwamish Waterway proposal was published in the Federal Register on December 1, 2000. EPA invites you to comment on the proposal during a sixty-day comment period. After the comment period closes, EPA will consider all comments received before listing the site as final on the NPL. **Comments must be postmarked by January 30, 2001. Send an original and three copies of your comments in one of the ways below.**

By postal mail:

Docket Coordinator, Headquarters  
U.S. EPA CERCLA Docket Office, 5201 G  
1200 Pennsylvania Avenue N.W.  
Washington, D.C. 20460

or

By express mail or courier:

Docket Coordinator, Headquarters  
U.S. EPA CERCLA Docket Office  
1235 Jefferson Davis Highway  
Crystal Gateway #1, 1<sup>st</sup> floor  
Arlington, Virginia 22202

Comments may also be e-mailed, in ASCII format only, to [superfund.docket@epa.gov](mailto:superfund.docket@epa.gov).

E-mailed comments must be followed by an original and three copies by mail or express mail.

### How to Review Documents that Support the NPL Proposal

Contact **Bob Phillips:**

EPA Region 10  
1200 Sixth Avenue, ECL-110,  
Seattle, Washington 98101  
206-553-6699 or toll free at 1-800-424-4372  
[phillips.bob@epa.gov](mailto:phillips.bob@epa.gov)

### Other Ways to Become Involved with the Lower Duwamish Waterway Site

**EPA Technical Assistance Grant:** An EPA technical assistance grant (TAG) is now available for the site. TAGs of up to \$50,000 are available to eligible community groups whose members may be affected by a site that is listed or proposed for listing on the NPL. Most of the grant funds must be used to procure a technical advisor to help the community understand and comment on technical aspects of the site. Only one EPA TAG can be awarded for a site. **If your group is interested in applying for a TAG, please contact Cindy Colgate at the phone number at the end of this fact sheet.**

**Community Advisory Group:** A community advisory group has formed for the site. The group has received financial support from Ecology to hire an independent technical advisor and to help them conduct independent community outreach. The group's activities will include providing independent technical oversight of the Lower Duwamish Waterway Site and exchanging information with the communities near the site. **If you are interested in joining this group, or if you would like more information, please contact Rick Huey or Cindy Colgate at the phone numbers at the end of this fact sheet.**

**Community Interviews:** Ecology and EPA are developing a public participation plan to describe how the agencies will involve the community in the Lower Duwamish Waterway Site. The plan will be available for public review this winter, and it will be updated as needed. In addition, Ecology and EPA are working with the Washington State Department of Health to address any health issues or concerns that may be associated with this site. **If you would like to be added to the list of persons to be interviewed to provide suggestions for this plan and to talk about your questions or concerns on health issues related to this site, please contact Rick Huey or Cindy Colgate.**

**More Information**

For reviewing written information about the Lower Duwamish Waterway:

South Park Community Center, 8319 Eighth Avenue South, Seattle, WA 98101

EPA Region 10 Records Center, 1200 Sixth Avenue, Seattle, WA 98101 (Please call 206/553-4494 for an appointment.)

Department of Ecology, 3190 160<sup>th</sup> Avenue SE, Bellevue, WA 98008

For electronic information about the Lower Duwamish Waterway Site, including the Federal Register notice of the proposal to the NPL:

EPA Region 10 web site  
<http://www.epa.gov/r10earth/>  
Click on "Index," then "L," and then "Lower Duwamish Waterway Site."

For general information:

**Cindy Colgate**, EPA Community Involvement Coordinator  
206-553-1815  
or toll free at 1-800-424-4372  
email: [colgate.cindy@epa.gov](mailto:colgate.cindy@epa.gov)

For technical information:

**Rick Huey**, Ecology Project Manager  
425-649-7256  
email: [rhue461@ecy.wa.gov](mailto:rhue461@ecy.wa.gov)

**Allison Hiltner**, EPA Project Manager  
206-553-2140 or toll free at 1-800-424-4372  
email: [hiltner.allison@epa.gov](mailto:hiltner.allison@epa.gov)

**Sally Marquis**, EPA Project Manager  
206-553-0717 or toll free at 1-800-424-4372  
email: [marquis.sally@epa.gov](mailto:marquis.sally@epa.gov)

To ensure effective communication with everyone, additional services can be made available to persons with disabilities by contacting one of the EPA representatives listed above.